State of New Hampshire
OFFICE OF ATTORNEY-GENERAL

April 18, 1956

Honorable Dean B. Merrill
Chairman, Legislative Council
Room 218, State House
Concord, New Hampshire

Dear Senator Merrill:

In the absence of Mr. Wyman I am replying to your letter of April 16, 1956.

Your letter forwarded to us a copy of a letter from Mr. E. J. Kingsbury, Jr. of the Commission on Educational Television dated March 20, 1956. In his letter to the Council, Mr. Kingsbury points out that his Commission desires to cause 500 copies of its report to be printed, and asks if the Council could share in the cost of such printing through an appropriation of its funds for that purpose. You now inquire whether the Council's funds may legally be so employed.

We advise in the negative.

The Commission on Educational Television was established by Laws 1953, c. 234 and continued in existence by Laws 1955, c. 89. Its purpose is to make a comprehensive study to ascertain the need and the advisability for educational television facilities in New Hampshire. Its findings are to be reported periodically to the Council, with a final report on or before October 30, 1956. In the performance of all of its duties the Commission is entirely separate from the Council. Your body has only the duty to receive the reports when rendered.

In such circumstances the use of the Council's funds in the performance of a function by law assigned to another agency, the Commission, is not legally warranted.

Very truly yours,

Warren E. Waters
Deputy Attorney General

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